

OCT 16 2006

PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0951-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
6882USD1

First named inventor: Steven T. Cho, et al

Application No.: 10/763,549

Art Unit: 1723

Filed: January 23, 2004

Examiner: Menon, Krishnan S.

Title: MICOR-FLUIDIC ANTI-MICROBIAL FILTER

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

**2. Reply and/or fee**

- A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☐ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ 300.00

- ☒ has been paid previously on June 2, 2006
- ☒ is enclosed herewith. is the issue fee

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/84 (09-08)

Approved for use through 03/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Michael R. Crabb  
Signature

10/16/2006  
Date

Michael R. Crabb  
Typed or printed name

37,298  
Registration Number, if applicable

275 North Field Drive  
Address

224-212-2889  
Telephone Number

Lake Forest, IL 60045  
Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

10/16/06  
Date

Robert E. Evans  
Signature  
Typed or printed name of person signing certificate

OCT 16 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. Cho, et al.

Serial No.: 10/763,549

Filed: January 23, 2004

Title: MICRO-FLUIDIC ANTI-MICROBIAL  
FILTER

Case No.: 6882USD1

Group Art No.: 1723

Examiner: Not yet Assigned

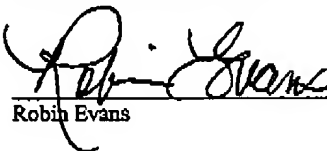
Confirmation No.: 7515

Certificate of Facsimile Transmission under 37  
CFR §1.8(a):

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile, said transmission to be completed before midnight Eastern time on the date shown below, addressed to the following recipient:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on: 10/16/2006

Recipient Telefax Number: 571-273-8300

 10/16/06  
Robyn Evans Date

TRANSMITTAL LETTER

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith for the patent application identified above entitled MICRO-FLUIDIC ANTI-MICROBIAL FILTER are the following:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2 Pages);
2. Copy of Notice of Abandonment dated 9/5/2006
3. Copy of Originally submitted Issue Fee Transmittal
4. Copy of Deposit Account Statement for June 2006

The above-identified patent application was abandoned for failure to submit the Issue Fee in the amount of \$1400.00 dollars. The Fee Transmittal was submitted with the Issue Fee box checked but the Publication Fee box was unintentionally left unchecked (copy attached). According to the Notice of Abandonment, the USPTO has already debited our deposit account in the amount of \$300 for the Publication Fee (copy of deposit account statement attached).

OCT 16 2006

The Commissioner is hereby authorized to charge the Issue Fee in the amount of \$1400 and the Petition Fee in the amount of \$1500, to Deposit Account No. 50-3118.

Also, any additional Filing Fees required under 37 CFR § 1.16, as well as any patent application processing fees under 37 CFR § 1.17 associated with this communication for which full payment had not been tendered, may be charged to the Deposit Account noted above.

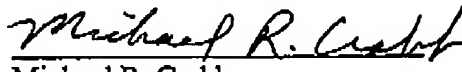
Respectfully submitted,  
S. Cho, et al

41155

HOSPIRA, INC.

Telephone: (224) 212-2889

Facsimile: (224) 212-2088

  
Michael R. Crabb  
Registration No. 37,298  
Attorney for Applicants

fax

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OCT 16 2006



To: United States Patent & Trademark  
Office  
Company;

From: HOSPIRA, INC.

Tel: 224-212-2889

Fax: (571) 273-8300

Fax: 224-212-2088

Date: October 16, 2006

No. of Pages: 9

RE: PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY  
U.S. Serial No. 10/763,549  
Filed on January 23, 2004

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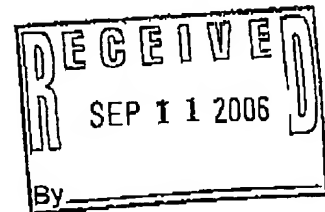
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,549	01/23/2004	Steven T. Cho	6882USD1	7515
#1155	7590	09/05/2006	EXAMINER	
BRIAN R. WOODWORTH 275 N. FIELD DRIVE DEPT. NLEG BLDG H-1 LAKE FOREST, IL 60045-2579			MENON, KRISHNAN S	
			ART UNIT	PAPER NUMBER
			1723	

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



PTO-90C (Rev. 10/03)

**Notice of Abandonment**

Application No.

10/763,549

Examiner

MENON

Applicant(s)

CHO

Art Unit

1723

**— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—**

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☒ The submitted fee of \$300 is insufficient. A balance of \$1400 is due.  
The issue fee required by 37 CFR 1.18 is \$1400. The publication fee, if required by 37 CFR 1.18(d), is \$300.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

**United States  
Patent and  
Trademark Office****Deposit Account Statement**

Requested Statement Month: June 2006  
Deposit Account Number: 503118  
Name: HOSPIRA INC  
Attention: BRIAN R. WOODWORTH  
Address: DEPT NLEG BLDG H1  
City: LAKE FOREST  
State: IL  
Zip: 60045  
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/01	31	11205929	7067USC2	1501	\$1,400.00	\$4,026.00
06/01	32	11205929	7067USC2	1504	\$300.00	\$3,726.00
06/01	98	10783640	7135USO3	1453	\$1,500.00	\$2,226.00
06/01	99	10783640	7135USO3	1462	\$400.00	\$1,826.00
06/01	100	10783640	7135USO3	1252	\$450.00	\$1,376.00
06/01	1434	0628359	T46529	7205	\$100.00	\$1,276.00
06/01	1435	0628359	T46529	7201	\$400.00	\$876.00
06/02	56	PAYMENT		9203	-\$10,000.00	\$10,876.00
06/02	57	10763549	6882USD1	1504	\$300.00	\$10,576.00
06/12	17	10783642	7135USO2	1453	\$1,500.00	\$9,076.00
06/12	21	10783648	7135USO7	1453	\$1,500.00	\$7,576.00
06/23	1728	78915340	T46542-ACCLAIM	7001	\$325.00	\$7,251.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$5,426.00	\$8,175.00	\$10,000.00	\$7,251.00

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